



CR Hotel Ordinance

AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE TOWN OF NAGS HEAD, NORTH CAROLINA

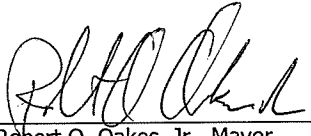
BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that the Code of Ordinances shall be amended as follows:

PART I. That **Section 48-405(c)(2)(t), Hotels as a Conditional Use within the CR, Commercial Residential Zoning District**, be amended as follows:

- t. Hotel sites may include the following accessory uses: fishing pier (with CAMA authorization), restaurant, indoor entertainment facility, indoor public assembly, retail, office and on-site rental of beach chairs and umbrellas provided that:
 - i. Storage of such items, overnight and during hours of operation shall be located westward of the first line of stable natural vegetation static line and shall not be visible from the beach.
 - ii. Beach chairs and umbrella's to be placed upon the beach shall contain no commercial signage. Property identifiers such as initials and numbering shall be located on the interior or underside of any chair or umbrella. Any other signage shall not be visible from the beach.
 - iii. Placement of beach chairs and umbrella's upon the beach shall not restrict or impede the flow of vehicular, pedestrian or emergency services traffic. All public access points shall be free and clear of all obstructions and rental equipment for a minimum distance of fifty feet (50') in any direction.
 - iv. All exchange of money for rental transactions involved in the operation of this rental service, including tips, shall occur inside the principal structure, i.e. the hotel; or west of the static line.
 - v. Rentals shall be limited to hotel patrons.
 - vi. Under no circumstance shall beach chairs and umbrellas be left on the beach or be east of the static line overnight.
 - vii. At the close of business hours the beach upon which rentals occur shall be cleaned of all loose trash and debris.
 - viii. Beach chairs and umbrellas shall only be set up when requested by the customer, beach chairs and umbrellas shall not be pre-set.
 - ix. Emergency services personnel have the right to move beach chairs and umbrellas as necessary to ensure a clear line of sight for safety purposes.
 - x. Any violation of these regulations may result in any of the following actions:
 - a. Removal of equipment left on the beach overnight,
 - b. Issuance of civil penalty pursuant to Town Code Section 1-6, or
 - c. Immediate revocation of the zoning permit.

PART II. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART III. This ordinance shall be in full force and effect from and after the 7th day of March 2012.



Robert O. Oakes, Jr., Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

John Leidy, Town Attorney

Date adopted: March 7, 2012

Motion to adopt by Commissioner _____

Motion seconded by Commissioner _____

Vote: 4 AYES 0 NAYS 1 RECUSED (Mayor Bob Oakes)



**TOWN OF NAGS HEAD
STATEMENT OF CONSISTENCY
WITH THE LAND USE PLAN FOR A ZONING TEXT AMENDMENT**

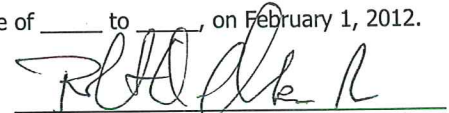
BE IT HEREBY RESOLVED by the Board of Commissioners for the Town of Nags Head, that in accordance with provisions of North Carolina General Statute 160A-383, the Board of Commissioners hereby finds and determines that the adoption of the requested zoning text amendment to amend Town Code Section 48-405(c)(2)(t), Hotels as a Conditional Use within the CR, Commercial Residential Zoning District, to allow the rental of beach chairs and umbrellas as an accessory use to Hotels.

Is consistent with the goals, objectives and policies of the Town's adopted Land Use Plan, and that this action is reasonable and in the public interest, and specifically, because it:

- Limits commercialization of the beach; and
- Provides a service to visitors in support of an economy based on family vacation tourism; and
- Contributes to a well-maintained oceanfront beach that is accessible and useable.
- Supports commercial services provided by locally owned and operated businesses.

(LUP p. 87 Vision Statement)

READ, APPROVED AND ADOPTED by a vote of _____ to _____, on February 1, 2012.


Robert O. Oakes Jr., Mayor

ATTEST:

Carolyn Morris, Town Clerk

Cliff Ogburn, Town Manager



Village Private Bathhouse, Beach Club Ordinance

AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE TOWN OF NAGS HEAD, NORTH CAROLINA

BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that the Code of Ordinances shall be amended as follows:

PART I. That **Section 48-869 (b), Permitted Uses within the Recreation District**, be amended as follows:

(2) The Village at Nags Head beach and tennis club.

Purpose—The Village at Nags Head Beach and Tennis Club would consist of a private club with facilities which may include a beach, swim and/or tennis center which may have the following facilities; including a swimming pool, sunbathing areas, club house, eating and drinking establishments, pro shops, bath and toilet facilities, tennis/squash/basketball courts, volleyball area or any other appropriate recreational activity. The onsite rental of beach chairs and umbrellas as permitted in subsection (4)(a) of this Chapter and limited to the property located at 5805 S. Seachase Drive.

(4) Village at Nags Head Private Beach Access and Bathhouse.

Purpose – The Village at Nags Head Private Beach Access and Bathhouse, located at 4929 S. Virginia Dare Trail shall consist of a private beach access for use by Village at Nags Head Property Owners Association members and their guests as well as the following:

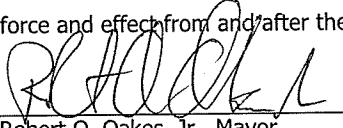
(a) Onsite rental of beach chairs and umbrellas at the private beach bathhouse located at 4929 S. Virginia Dare Trail provided that:

- i. Storage of such items, overnight and during hours of operation, shall be located westward of the first line of stable natural vegetation static line and shall not be visible from the beach.
- ii. Beach chairs and umbrella's to be placed upon the beach shall contain no commercial signage. Property identifiers such as initials and numbering shall be located on the interior or underside of any chair or umbrella. Any other signage shall not be visible from the beach.
- iii. Placement of beach chairs and umbrella's upon the beach shall not restrict or impede the flow of vehicular, pedestrian or emergency services traffic.
- iv. All exchange of monies transactions involved in the operation of this business shall be from within the principal structure, the bathhouse, a location west of the static line, online, with rental contract or at the Association management company's location.
- v. Signage related to the onsite rental of beach chairs and umbrellas shall not be visible from NC 12.
- vi. Rentals shall be limited to members of the Village at Nags Head Property Owners Association and their guests only.

- vii. Under no circumstance shall beach chairs and umbrellas be left on the beach or be east of the static line overnight.
- viii. At the close of business hours the beach upon which rentals occur shall be cleaned of all **loose** trash and debris.
- ix. Beach chairs and umbrellas shall only be set up when requested by the customer, **beach chairs and umbrellas** shall not be pre-set.
- x. Emergency services personnel have the right to move beach chairs and umbrellas as necessary to ensure a clear line of sight for safety purposes.
- xi. Any violation of these regulations may result in any of the following actions:
 - a. Removal of equipment left on the beach overnight.
 - b. Issuance of civil penalty pursuant to Town Code Section 1-6, or
 - c. Immediate revocation of the zoning permit.

PART II. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART III. This ordinance shall be in full force and effect from and after the 7th day of March 2012.


Robert O. Oakes, Jr., Mayor
Town of Nags Head

ATTEST:


Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

John Leidy, Town Attorney



Date adopted: March 7, 2012

Motion to adopt by Commissioner _____

Motion seconded by Commissioner _____

Vote: 4 AYES 0 NAYS 1 RECUSED (Mayor Bob Oakes)



**TOWN OF NAGS HEAD
STATEMENT OF CONSISTENCY
WITH THE LAND USE PLAN FOR A ZONING TEXT AMENDMENT**

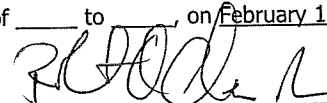
BE IT HEREBY RESOLVED by the Board of Commissioners for the Town of Nags Head, that in accordance with provisions of North Carolina General Statute 160A-383, the Board of Commissioners hereby finds and determines that the adoption of the requested zoning text amendment to amend Town Code Section 48-869 (b), Permitted Uses within the Recreation District to rental of beach chair and umbrellas at the private beach bathhouse operated by the Village at Nags Head Property Owners Association.

Is consistent with the goals, objectives and policies of the Town's adopted Land Use Plan, and that this action is reasonable and in the public interest, and specifically, because it:

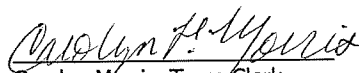
- Limits commercialization of the beach; and
- Provides a service to visitors in support of an economy based on family vacation tourism; and
- Contributes to a well-maintained oceanfront beach that is accessible and useable.
- Supports commercial services provided by locally owned and operated businesses.

(LUP p. 87 Vision Statement)

READ, APPROVED AND ADOPTED by a vote of _____ to _____, on February 1, 2012.


Robert O. Oakes Jr., Mayor

ATTEST:


Carolyn Morris, Town Clerk

Cliff Ogburn, Town Manager

